

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION INJURY  
LITIGATION – SINGLE SPORT /  
SINGLE SCHOOL (FOOTBALL)**

---

) **MDL No. 2492**  
)  
) **Master Docket No. 1:16-cv-08727**  
) **This Document Relates To:**  
) **ALL CASES**  
) **Judge Manish S. Shah**  
) **Magistrate Judge M. David Weisman**  
)  
)

**JOINT STATUS REPORT**

Pursuant to the Court's Minute Order at Dkt. 469, lead counsel for Plaintiffs and Defendants submit this joint status report.

The Parties have engaged Hon. Wayne Andersen (Ret.) of JAMS in an effort to reach a mediated resolution of this MDL.

Specifically, the NCAA and Plaintiffs have agreed to mediate, on a *non-class* basis, the individual claims pending in this MDL. If the Parties' mediation efforts are successful, the claims of all participating Plaintiffs will be dismissed on an individual basis. Additionally, lead counsel has committed in advance *not* to seek any fee award from the Court, whether in the form of a common benefit fee, a class action fee award, or any other mechanism.

The mediation process is already underway. Plaintiffs' counsel recently provided to Judge Andersen and to the NCAA, under the mediation privilege, an initial set of information about their clients, and have committed to furnishing additional information and documents as requested by Judge Andersen. Plaintiffs' counsel have also provided to Judge Andersen a concrete framework for a settlement structure intended to completely resolve this MDL.

Further, the Parties have scheduled an initial in-person session with Judge Andersen for October 7, 2024, and anticipate additional, biweekly mediation sessions thereafter. Given the number of claims at issue and the number of interested parties, including a large number of insurers, the Parties believe it is fairly unlikely that settlement can be reached in a single session.

Consequently, the Parties respectfully request permission to file a further status report on or before October 11, 2024.

Dated: August 30, 2024

Respectfully submitted,

/s/ Johanna M. Spellman

Johanna M. Spellman, One of the Attorneys for  
Defendant National Collegiate Athletic Association

Mark S. Mester (Illinois Bar No. 6196140)  
mark.mester@lw.com

Johanna M. Spellman (Illinois Bar No. 6293851)  
johanna.spellman@lw.com

LATHAM & WATKINS LLP  
330 North Wabash Avenue, Suite 2800  
Chicago, Illinois 60611  
Telephone: (312) 876-7700  
Facsimile: (312) 993-9767

*Counsel for Defendant  
National Collegiate Athletic Association*

Dated: August 30, 2024

/s/ Michael A. Olsen (with consent)

Michael A. Olsen, One of the Attorneys for  
Defendant The Big Ten Conference

Michael A. Olsen (Illinois Bar No. 6237807)  
molsen@mayerbrown.com

Daniel L. Ring (Illinois Bar No. 6216750)  
dring@mayerbrown.com

MAYER BROWN LLP  
71 South Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 782-0600

*Counsel for Defendant The Big Ten Conference*

Dated: August 30, 2024

/s/ Matthew A. Kairis (with consent)

Matthew A. Kairis, Lead Counsel for Member  
Institution Defendants

Matthew A. Kairis  
makairis@jonesday.com  
JONES DAY  
325 John H. McConnell Boulevard, Suite 600  
Columbus, Ohio 43215  
Telephone: (614) 469-3939  
Facsimile: (614) 461-4198

*Lead Counsel for Member Institution Defendants*

Dated: August 30, 2024

/s/ Todd Logan (with consent)

Todd Logan, One of the Attorneys for Plaintiffs

Jay Edelson (Illinois Bar No. 6239287)  
jedelson@edelson.com  
Benjamin H. Richman (Illinois Bar No. 6300669)  
brichman@edelson.com  
EDELSON PC  
350 North LaSalle Street, 13th Floor  
Chicago, Illinois 60654  
Telephone: (312) 589-6370  
Facsimile: (312) 589-6378

Rafey S. Balabanian (Illinois Bar No. 6285687)  
rbalabanian@edelson.com  
Todd Logan (*pro hac vice*)  
tlogan@edelson.com  
EDELSON PC  
150 California Street, 18th Floor  
San Francisco, California 94111  
Telephone: (415) 212-9300  
Facsimile: (415) 373-9435

*Co-Lead Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I, Johanna M. Spellman, certify that, on August 30, 2024 a true and correct copy of the foregoing JOINT STATUS REPORT was filed through the CM/ECF system, which caused notice to be sent to all counsel of record.

/s/ Johanna M. Spellman

Johanna M. Spellman (Illinois Bar No. 6293851)

johanna.spellman@lw.com

LATHAM & WATKINS LLP

330 North Wabash Avenue, Suite 2800

Chicago, Illinois 60611

Telephone: (312) 876-7700

Facsimile: (312) 993-9767